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Daniel Bernthal

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UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Jose Luis Ortiz

Case: 2:21-mj-30292

Assigned To : Unassigned

Assign. Date : 6/10/2021

Case No. In Re: CMP: SEALED MATTER (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of Wayne in the
 Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)(5)(A)

Undocumented, non-citizen in possession of a firearm

18 U.S.C. § 1028(a)(2)

Knowingly transfer identification documents or false identification documents

This criminal complaint is based on these facts:

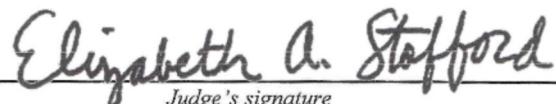
Continued on the attached sheet.



Complainant's signature

Daniel Bernthal, Special Agent

Printed name and title



Judge's signature

Hon. Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: June 10, 2021

City and state: Detroit, Michigan

AFFIDAVIT

I, Daniel M. Bernthal, being duly sworn, depose and state the following:

1. I am a Special Agent with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and have been so employed by HSI since December 2011. As part of my duties, I investigate criminal violations relating to document and benefit fraud. I am currently assigned to the Document Benefit Fraud Task Force (DBFTF). The DBFTF is a cooperative effort of members of local Michigan Police Departments and the Federal Government, whose purpose is to enforce criminal statutes involving document and benefit fraud.

PURPOSE OF THIS AFFIDAVIT

2. The information set forth in this affidavit is based upon my knowledge and investigation. This affidavit does not contain every fact I have learned during the investigation, but instead has included only those facts, which I believe, establish the requisite probable cause. I know it is a violation of Title 18, United States Code, Section 1028(a)(2) for a person to knowingly transfer identification documents or false identification documents knowing that such documents were stolen or produced without lawful authority.

3. In addition, I know it is a violation of Title 18, United States Code, Section 922(g)(5)(A) that it shall be unlawful for any person who, being an undocumented non-citizen, to be in possession of a firearm or ammunition.

PROBABLE CAUSE

4. In March 2017, Homeland Security Investigations (HSI) DBFTF agents received information of a fraudulent identity document trafficking organization located in Detroit, Michigan. Information obtained by HSI DBFTF agents included the phone number of an alleged fraudulent document trafficker involved with this organization. On April 17, 2017, SA-742-DT, under the direction of HSI DBFTF agents, one fraudulent Permanent Resident Alien card and one fraudulent U.S. Social Security card were purchased for \$180.00 USD.

5. On July 28, 2017, SA-742-DT, under the direction of HSI DBFTF agents, one fraudulent Permanent Resident Alien card and one fraudulent U.S. Social Security card were purchased for \$200.00 USD. On August 9, 2019, SA-742-DT, under the direction of HSI DMA agents, one fraudulent Permanent Resident Card and one fraudulent U.S. Social Security card were purchased for \$250.00. The purchases led to the arrest of one subject, who was providing the fraudulent documents to SA-742-DT.

6. The subject was arrested on December 4, 2019. During the subject's post arrest interview, he stated he does not manufacture the documents himself, but

rather calls another person when he needs any documents made. The subject stated this person goes by the name “El Diablo” or “El Loco”. The subject agreed to be a cooperating defendant (“CD”) in the DBFTF’s investigation into the fraudulent identity document trafficking organization located in Detroit, Michigan.

7. On January 13, 2020, the cooperating defendant sent a consensual text message to the fraudulent document vendor known as “El Diablo,” AKA “El Loco” at (313) 703-xxxx. Open Source records indicate the phone number belongs to Jose Luis ORTIZ. The cooperating defendant sent two more text messages with a picture and a name of a fictitious individual, that were to be used on two fraudulent documents. ORTIZ responded in text with “Mexicano?,” shortly after the cooperating defendant responded with “Si”. ORTIZ stated he would have the documents ready by Thursday January 16, 2020. The price of the documents would be \$180.00, for one fraudulent Social Security card and one fraudulent Permanent Resident Card.

8. On January 16, 2020, during a Purchase of Evidence Operation, the cooperating defendant successfully purchased one fraudulent social security card and one fraudulent Permanent Resident Card for \$180.00. The documents were contained in a postcard which was folded in a manner which allowed it to act as an envelope. The envelope in which the documents were stored was a Western Michigan University promotional card that was hand folded into an envelope. This

post card bares the address 2329 Rieden St., Detroit, Michigan. After ORTIZ sold the fraudulent documents to the cooperating defendant, agents successfully followed ORTIZ back to 2329 Rieden Street Detroit, Michigan. Agents observed ORTIZ enter through the front door of the residence. This operation led to identifying the fraudulent document manufacturer as ORTIZ.

9. On February 3, 2021, a United States Magistrate Judge for the Eastern District of Michigan agreed with investigators that there was probable cause for a search warrant at 2329 Rieden St, Detroit, Michigan, the confirmed residence of ORTIZ.

10. On February 17, 2021, a search warrant was executed at 2329 Rieden St., Detroit, Michigan. During this search warrant, several phones and electronics were seized; along with, 42 Fraudulent Social Security Cards, 24 Fraudulent Legal Permanent Resident Cards, 11 Fraudulent Michigan Identification Cards, and two firearms, one of which has returned stolen. The other firearm is registered to Yamika Price of Southfield, Michigan. System checks revealed no connections with Price to 2329 Rieden, Detroit, Michigan. Neither of the firearms are registered to ORTIZ or any known residents of 2329 Rieden.

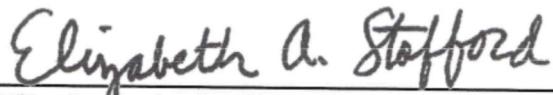
CONCLUSION

11. Based on the above information, probable cause exists to believe that ORTIZ, in violation of Title 18, United States Code, Section 1028(a)(2), knowingly transferred identification documents or false identification documents knowing that such documents were stolen or produced without lawful authority. In addition, probable cause exists to believe that ORTIZ, in violation of Title 18, United States Code, Section 922(g)(5)(A) that it shall be unlawful for any person who, being an undocumented non-citizen, was knowingly in possession of a firearm and ammunition.



Daniel M. Bernthal
Special Agent
Homeland Security Investigations

Sworn to before me and signed in my presence
and/or by reliable electronic means
on this 10th day of June 2021



Elizabeth A. Stafford
United States Magistrate Judge
United States District Court
Eastern District of Michigan